

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

Carrie E. Carter,

Plaintiff,

v.

Case No. 2:18-cv-224

Commissioner of  
Social Security,

Defendant.

ORDER

This matter is before the court for consideration of the August 2, 2019, report and recommendation of the United States magistrate judge to whom this case was referred pursuant to 28 U.S.C. §636(b). The magistrate judge concluded that the administrative law judge erred by mischaracterizing and by failing to adequately address the opinion of Karen Terry, Ph.D., a state-agency physician. The magistrate judge recommended that this case be remanded to the Commissioner pursuant to 42 U.S.C. §405(g), sentence four, for further evaluation and discussion of Dr. Terry's opinion.

The report and recommendation specifically advised the parties that failure to object to the report and recommendation within fourteen days of the report "will result in a waiver of the right to *de novo* review by the District Judge and waiver of the right to appeal the judgment of the District Court." Doc. 21, p. 12. The time period for filing objections to the report and recommendation has expired, and no party has objected to the report and recommendation.

The court adopts the report and recommendation of the

magistrate judge (Doc. 21). The decision of the Commissioner is reversed, and this case is remanded to the Commissioner under §405, sentence four, for further administrative proceedings, as discussed in the report and recommendation. The clerk shall enter judgment remanding this case to the Commissioner.

Date: August 20, 2019

s/James L. Graham  
James L. Graham  
United States District Judge